UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,152	03/30/2001	John Christopher Crandall	10004840-1	6310

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EXAMINER
STORK, KYLE R

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 08/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>05 July 2005</u>.
2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-20</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-20</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   This non-final office action is in response to the appeal brief filed 5 July 2005.

2.   Claims 1-20 are pending. Claims 1, 9, and 16 are independent claims. The

rejection of claims 1-20 under 35 U.S.C. 103 has been withdrawn based upon the

applicant's arguments. The rejection of claims 9-15 under 35 U.S.C. 101 has been

withdrawn as necessitated by the amendment.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

4.   Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

5.   Claim 5 recites the limitation "said generalization database" in line 2. There is

insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 1, 3-4, 9-12, and 16-19 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Lapierre (US 6075550, filed 23 December 1997, and further in view

of Goddard (US 6684240, filed 15 December 1999), and further in view of DeStefano

(US 6184885, filed 16 March 1998).

        As per independent claim 1, Lapierre discloses a computerized document censor

comprising:

- A censor database of restricted terms (column 4, lines 60-64)

- A text comparator program for finding ones of the restricted terms in the

   document (column 4, lines 1-29)

Lapierre fails to disclose presenting restricted terms found in the document to a user.

However, Goddard discloses the method for presenting a user with restricted terms

(column 2, lines 43-52).

        It would have been obvious to one of ordinary skill in the art at the time of the

applicant's invention to have combined Lapierre's method with Goddard's method, since

it would have allowed a user to adjust content rating parameters based upon censored

content (Lapierre: column 2, lines 54-58; Goddard: column, 2, lines 43-52).

        Lapierre and Goddard fail to specifically disclose highlighting restricted terms.

However, DeStefano discloses highlighting words (column 27, lines 30-40).

        It would have been obvious to one of ordinary skill in the art at the time of the

applicant's invention to have combined Lapierre and Goddard's method with

DeStefano's method, since it would have drawn attention to the potentially offensive

material used to adjust the content rating parameters (Lapierre: column 2, lines 54-58;

Goddard: column, 2, lines 43-52; DeStefano: column 27, lines 30-40). .

As per dependent claim 3, Lapierre, Goddard, and DeStefano disclose the

limitations similar to those in claim 1, and the same rejection is incorporated herein.

Lapierre further discloses the document censor wherein the restricted terms comprise at

least one of: single words; phrases; and numbers (column 3, lines 42-45).

As per dependent claim 4, Lapierre, Goddard, and DeStefano disclose the

limitations similar to those in claim 1, and the same rejection is incorporated herein.

Lapierre further discloses the method wherein the text comparator program finds one of

the restricted terms via rules-based relationships (column 3, line 42- column 4, line 58:

Here, the rule-based relationship states that if an offensive word (restricted term) is

found, then it is replaces with X's or other characters).

As per independent claim 9, the applicant disclose the limitations similar to those

in claim 1. Claim 9 is similarly rejected under Lapierre, Goddard, and DeStefano.

As per dependent claim 10, Lapierre, Goddard, and DeStefano disclose the

limitations similar to those in claim 9, and the same rejection is incorporated herein.

Lapierre further discloses the method comprising the steps of:

- Storing a list of alternate expressions corresponding to the prohibited

  expressions (column 4, lines 48-52: Here, the X's or other characters are stored

  in the queue until they are displayed)

- Presenting a group of the alternate expressions corresponding to one of the

  prohibited expressions found in the document (column 4, lines 48-58: Here, the

queue, containing the X's or other characters is output to the CC encoder and displayed to a user)

As per dependent claim 11, the applicant discloses the limitations similar to those in claim 3. Further, Lapierre discloses modifying a word list capable of containing words and phrases (column 5, lines 3-11). Claim 11 is similarly rejected under Lapierre, Goddard, and DeStefano.

As per dependent claim 12, Lapierre, Goddard, and DeStefano disclose the limitations similar to those in claim 10, and the same rejection is incorporated herein. Lapierre further discloses the method wherein the storing the list of the alternate expressions step comprises at least one of the steps of: entering alternate words; entering alternate phrases; and entering rules of alternate communication relationships (column 4, lines 48-52: Here, the replacement of offensive words with X's is a rule of an alternate communication relationship).

As per independent claim 16, the applicant disclose the limitations similar to those in claim 1. Claim 16 is similarly rejected under Lapierre, Goddard, and DeStefano.

As per dependent claim 17, the applicant discloses the limitations similar to those in claim 10. Claim 17 is similarly rejected under Lapierre, Goddard, and DeStefano.

As per dependent claim 18, the applicant discloses the limitations similar to those in claim 11. Claim 18 is similarly rejected under Lapierre, Goddard, and DeStefano.

As per dependent claim 19, the applicant discloses the limitations similar to those in claim 12. Claim 19 is similarly rejected under Lapierre, Goddard, and DeStefano.

8.   Claims 2, 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lapierre, Goddard, and DeStefano, and further in view of Cragun (US 5832212, filed 19 April 1996).

As per dependent claim 2, Lapierre, Goddard, and DeStefano disclose the limitations similar to those in claim 1, and the same rejection is incorporated herein. Lapierre discloses a database of restricted terms (column 4, lines 60-64). Lapierre fails to specifically disclose non-restricted terms corresponding to restricted terms. However, Cragun discloses restricted terms corresponding to non-restricted terms (column 5, lines 26-28 and column 6, lines 55-59).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Lapierre, Goddard, and DeStefano's database with Cragun's word pairing, since it would have allowed a user to associate acceptable substitutes with unacceptable words/phrases.

As per dependent claim 5, Lapierre, Goddard, and DeStefano disclose the limitations similar to those in claim 1, and the same rejection is incorporated herein. Lapierre discloses use of a database (column 4, lines 60-64). However, Lapierre fails to specifically disclose gathering non-restricted terms into a database. However, Cragun discloses gathering non-restricted terms into a database (column 2, lines 15-50).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Lapierre, Goddard, and DeStefano's method with Cragun's method, since it would have allowed a user to specify replacement terms.

As per dependent claim 6, Lapierre, Goddard, DeStefano, and Cragun disclose

the limitations similar to those in claim 2, and the same rejection is incorporated herein.

Lapierre further discloses the censor wherein the censor provides alternative ones of

the non-restricted terms to a user for selectively replacing the restricted terms found in

the document (column 4, lines 48-52: Here, based upon the selected restricted terms,

the restricted terms are replaced with X's or other suitable characters).

As per dependent claim 7, Lapierre, Goddard, DeStefano, and Cragun disclose

the limitations similar to those in claim 2, and the same rejection is incorporated herein.

Cragun further discloses editing capability for replacement terms (Abstract, lines 10-20).

It would have been obvious to one of ordinary skill in the art at the time of the

applicant's invention to have combined Lapierre, Goddard, DeStefano, and Cragun's

method with Cragun's method, since it would have allowed a user to manually direct the

replacement process.

As per dependent claim 8, Lapierre, Goddard, DeStefano, and Cragun disclose

the limitations similar to those in claim 2, and the same rejection is incorporated herein.

Lapierre further disclose remote access to restricted term data by a user (column 5,

lines 22-27).

9.   Claims 13 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Lapierre, Goddard, and DeStefano, and further in view of Aras et al. (US 5757417,

filed 23 September 1997, herein Aras).

As per dependent claim 13, Lapierre, Goddard, and DeStefano disclose the limitations similar to those in claim 10, and the same rejection is incorporated herein. Lapierre fails to specifically disclose:

- Selecting data from the presented group

- Replacing the data with the data from the presented group

However, Aras discloses the presentation of multiple choices, and the replacement of data based upon the selected choice (column 12, lines 34-67).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Lapierre, Goddard, and DeStefano's method with Aras's method, since it would have allowed a user to easily select replacement content.

As per dependent claim 20, the applicant discloses the limitations similar to those in claim 13. Claim 20 is similarly rejected under Lapierre, Goddard, DeStefano, and Aras.

10.   Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lapierre, Goddard, and DeStefano, and further in view of Dieterman (US 6393464, filed 10 June 1999).

As per dependent claim 14, Lapierre, Goddard, and DeStefano disclose the limitations similar to those in claim 9, and the same rejection is incorporated herein. Lapierre fails to specifically disclose at least one predetermined administrator.

However, Dieterman discloses data access restricted to administrators (column 1, lines 62-67).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Lapierre, Goddard, and DeStefano's method with Dieterman's method, since it would have allowed an administrator to shield a user from objectionable content (column 1, lines 51-56).

As per dependent claim 15, Lapierre, Goddard, and DeStefano disclose the limitations similar to those in claim 10, and the same rejection is incorporated herein. Lapierre fails to specifically disclose at least one predetermined administrator. However, Dieterman discloses data access restricted to administrators (column 1, lines 62-67).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Lapierre, Goddard, and DeStefano's method with Dieterman's method, since it would have allowed an administrator to shield a user from objectionable content (column 1, lines 51-56).

Response to Arguments

11.   In view of the appeal filed on 5 July 2005, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth above.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply

under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied

by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130,

1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

12.   Applicant's arguments with respect to claims 1-20 have been considered but are

moot in view of the new ground(s) of rejection.

As detailed above, the Goddard reference has been added to address the

deficiencies of the final rejection dated 27 January 2005.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kyle R. Stork whose telephone number is (571) 272-

4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

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